

CHAPTER LXVII.

March 6, 1871.

An Act to amend the Statute relating to Garnishment, by authorizing the release of the property garnisheed, upon filing security.

SECTION 1. Amendment to Title ten (10), Chapter sixty-six (66), General Statutes. Defendant to execute bond—for what purpose.

2. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That title ten, chapter sixty-six of the statutes of Minnesota, entitled "Garnishment" be amended by adding thereto the following as an additional section, to wit:

Defendant to execute bond—for what purpose.

A defendant, when property, money, or effects has been garnisheed, may, at any time, before the trial of the action in which he is defendant, execute to the plaintiff a bond in double the amount claimed in the complaint, with two or more sureties, who shall justify and be approved by the judge of the district or court commissioner of the county in which the garnishee proceedings [were] instituted, conditioned that if the plaintiff recover judgment in the action he will pay such judgment or an amount thereon equal to the value of the money, property or effects so garnisheed. And the officer approving such bond shall make an order discharging such garnishment, and releasing such money, property or effects, therefrom, upon filing such bond with the court in which the garnishee proceedings were entitled, and serving upon the garnishee a copy of the order discharging such proceedings. The defendant shall have the same power to receive or collect the money, property and effects so garnisheed in the same manner as if such garnishee proceedings had never been instituted.

SEC. 2. This act shall take effect and be in force from When act to take effect.
and after its passage.

Approved March 6, 1871.

CHAPTER LXVIII.

An Act providing for a stay of execution on judgments rendered in Courts of Justices of the Peace. March 6, 1871.

- SECTION 1. Stay of judgments, how obtained.
2. When judgment creditor may have execution issued against judgment debtor.
 3. Form of recognizance.
 4. Certificate to be given of amount collected.
 5. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota :

SEC. 1. Execution upon a judgment rendered by any justice of the peace in this state may be stayed as hereinafter provided.

Upon a judgment for any sum not exceeding ten dollars exclusive of costs, one month; upon a judgment not exceeding twenty-five dollars exclusive of costs, two months; upon a judgment exceeding twenty-five dollars and not exceeding fifty dollars, three months; upon a judgment exceeding fifty dollars and not exceeding seventy-five dollars, exclusive of costs, four months; upon a judgment exceeding seventy five dollars, exclusive of costs, six months. *Provided*, That in order to obtain such stay the party applying therefor shall, within ten days after judgment is rendered, file a recognizance with one or more responsible persons to be approved by the justice, as bail for him, conditioned that the judgment debtor will pay the amount of such judgment, interest and costs, within the time for which the stay is granted, and authorizing the justice to issue execution for such amount upon de- Stay of judgment—how obtained.